

COPYSummons in a Civil Action (Rev 11/97)

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

WESTERN ONION SALES, INC., a
corporation

vs

SUN GROWERS INTERNATIONAL, a corporation; SUN GROWERS INTERNATIONAL, business form unknown; SERGIO VELLATTI a.k.a. SERGIO VELLATTI PEREZ, an individual; VERONICA VELLATTI a.k.a. VERONICA JIMENEZ a.k.a. VERONICA JIMENEZ VALDEZ, an individual

TO: (Name and Address of Defendant)

FILED
2010 FEB 12 PM 1:39CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

SUMMONS IN A CIVIL ACTION

Case No.

10 CV 0351

JM BLM

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

BART M. BOTTA
RYNN & JANOWSKY, LLP
4100 Newport Place Drive, Suite 700
Newport Beach, CA 92660

An answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.2-12-10

CLERK

DATE

By

J. ROCHA, Deputy Clerk

Summons in a Civil Action

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RETURN OF SERVICE			
Service of the Summons and Complaint was made by me		DATE	
NAME OF SERVER		TITLE	
Check one box below to indicate appropriate method of service			
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____			
<input type="checkbox"/> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:			
Name of person with whom the summons and complaint were left: _____			
<input type="checkbox"/> Return unexecuted:			
<input type="checkbox"/> Other (specify):			
STATEMENT OF SERVICE FEES			
TRAVEL		SERVICES	TOTAL \$
DECLARATION OF SERVER			
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.</p>			
Executed on:			
Date		Signature of Server	
Address of Server			
<u>NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE</u>			
<p>IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</p>			
<p>YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.</p>			
<p>JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.</p>			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure